

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NORTHLAND INSURANCE COMPANY,

Plaintiff,

NOT FOR PUBLICATION
ORDER

-against-

08 CV 3299 (CBA) (RER)

IMPERIAL CAR SALES, INC., KRISTINA
LARREA, KARL H. FRANCIS, and
BRENDA ANDRADE-MORENO,

Defendants.

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AMON, United States District Judge:

Plaintiff and defendant Andrade-Moreno made a joint motion to the Court requesting permission to file a motion to determine whether New York or New Jersey applies to the insurance policy at issue in this litigation. This Court referred that application and, if granted, any resulting motion to the Honorable Ramon E. Reyes, Jr., United States Magistrate Judge for the Eastern District of New York on November 14, 2008. Magistrate Judge Reyes granted the parties permission to file the motion four days later.

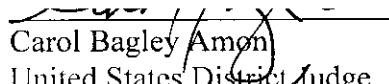
On February 9, 2009, Magistrate Judge Reyes issued a report and recommendation ("R&R") that New Jersey law governs the relevant insurance policy, finding that under the "grouping of contact" analysis required in this forum, New Jersey's contacts to the contract were greater than New York's, New Jersey was understood to be the principal location of the insured risk, and New York's strong governmental interests do not outweigh New Jersey's significant contacts with the litigation. Any objections to the R&R were due within 10 days of its receipt by defendants. No objections have been filed.

In reviewing a magistrate judge's R&R where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)). The Court has reviewed the R&R and found no clear error.

Accordingly, Magistrate Judge Reyes's R&R is adopted as the opinion of this Court. New Jersey law applies in this insurance dispute.

SO ORDERED.

Dated: Brooklyn, New York
July 15, 2009

s/Hon. Carol B. Amon

Carol Bagley Amon
United States District Judge